

September 15, 2004

**MINUTES OF A REGULAR MEETING OF  
THE TORRANCE PLANNING COMMISSION**

**1. CALL TO ORDER**

The Torrance Planning Commission convened in a regular session at 7:05 p.m. on Wednesday, September 15, 2004, in City Council Chambers at Torrance City Hall.

**2. SALUTE TO THE FLAG**

The Pledge of Allegiance was led by Boy Scout 77, Long Beach, California.

**3. ROLL CALL**

Present: Commissioners Botello, Faulk, LaBouff, Uchima and Chairperson Muratsuchi.

Absent: Commissioners Drevno and Horwich.

Also Present: Sr. Planning Associate Lodan, Planning Associate Crecy, Building Regulations Administrator Segovia, Fire Marshal Carter, Associate Civil Engineer Symons and Deputy City Attorney Whitham.

Sr. Planning Associate Lodan noted that Commissioner Horwich was previously granted an excused absence and relayed Commissioner Drevno's request for an excused absence.

**MOTION:** Commissioner Botello, seconded by Commissioner Uchima, moved to grant Commissioner Drevno an excused absence from this meeting; voice vote reflected unanimous approval.

**4. POSTING OF THE AGENDA**

**MOTION:** Commissioner Uchima, seconded by Commissioner Botello, moved to accept and file the report of the secretary on the posting of the agenda for this meeting; voice vote reflected unanimous approval (absent Commissioners Drevno and Horwich).

**5. APPROVAL OF MINUTES**

**MOTION:** Commissioner Botello moved for the approval of the July 7, 2004 Planning Commission minutes as submitted. The motion was seconded by Commissioner Faulk, and voice vote reflected unanimous approval, with Chairperson Muratsuchi abstaining (absent Commissioners Drevno and Horwich).

**MOTION:** Commissioner Faulk moved for the approval of the July 21, and the August 4, 2004 Planning Commission minutes as submitted. The motion was seconded by Commissioner Uchima, and voice vote reflected unanimous approval, with Commissioner Botello abstaining (absent Commissioners Drevno and Horwich).

**6. REQUESTS FOR POSTPONEMENTS**

Planning Commission  
September 15, 2004

None.

\*

Chairperson Muratsuchi reviewed the policies and procedures of the Planning Commission, including the right to appeal decisions to the City Council.

**7. CONTINUED HEARINGS**

**7A. PRE04-00017, WAV04-00012: TIM MURPHY AND LYNDIA BUNTING (MECHAS GRINNEL)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a second-story addition to an existing single-family residence and a Waiver to allow a reduction of the side-yard setback requirement on property located in the Hillside Overlay District in the R-1 Zone at 4018 Bluff Street.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Mechas Grinnel, project architect, requested clarification of the requirement that a five-foot wide sidewalk be constructed along the property frontage, noting that there are no sidewalks on this street and there is a huge tree in front of the property, which would have to be removed.

Associate Civil Engineer Symons explained that there are numerous short segments of sidewalk along Bluff Street and the City hopes to fill the gaps as properties are remodeled and indicated that it would be possible to have a jog in the sidewalk to accommodate the tree.

Ms. Grinnel voiced her agreement with the recommended conditions of approval.

**MOTION:** Commissioner Uchima, seconded by Commissioner Botello, moved to close the public hearing; voice vote reflected unanimous approval.

**MOTION:** Commissioner Botello moved for the approval of PRE04-00017 and WAV04-00012, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote (absent Commissioners Drevno and Horwich).

Planning Associate Crecy read aloud the number and title of Planning Commission Resolutions Nos. 04-103 and 04-104.

**MOTION:** Commissioner Faulk moved for the adoption of Planning Commission Resolution Nos. 04-103 and 04-104. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote (absent Commissioners Drevno and Horwich).

**8. WAIVERS – None.**

**9. FORMAL HEARINGS**  
**9A. PRE04-00016: ONORIO MARSELLA**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new two-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 22638 Gaycrest Avenue.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Jan Trobaugh, project architect, voiced his agreement with the recommended conditions of approval. He briefly described the proposed project, noting that the lot has a severe cross slope and the house was located as far forward as possible to maximize the backyard.

Commissioner Botello asked about justification for the project's Floor Area Ratio of .58, which exceeds what is permitted by the Hillside Ordinance without a demonstration of hardship by almost 17%.

Mr. Trobaugh explained that the substandard lot size made it necessary to exceed the guideline of .50 and maintained that the intent of this guideline was to reduce the impact on neighbors, which he worked very hard to do with his design.

**MOTION:** Commissioner Uchima, seconded by Commissioner LaBouff, moved to close the public hearing; voice vote reflected unanimous approval.

In response to Chairperson Muratsuchi's inquiry, Sr. Planning Associate Lodan provided clarification regarding the minimum lot size, explaining that TMC §91.4.3 requires that any newly created R-1 lots must be at least 6,000 square feet, however, there are many lots in Torrance that do not meet this minimum.

Voicing support for the proposed project, Commissioner Uchima noted that the lot coverage is only 36%, meaning that approximately two-thirds of the lot is open space.

Commissioner Botello stated that he did not believe the applicant had met the burden necessary to exceed an FAR of .50, therefore, he would not support the project.

Noting the ongoing debate about whether homes are being built too large in the Hillside Overlay area, Chairperson Muratsuchi stated that in order to be consistent and fair, he felt he had an obligation to strictly adhere to the provisions in the Torrance Municipal Code. He explained that the Code states that interior floor area may not exceed 50% of the square footage of the lot unless: 1) the applicant can show that denial of the application would pose an unreasonable hardship and 2) that granting the application would not be materially detrimental to the public welfare, and that he agreed with Commissioner Botello that the applicant had not done so in this case.

**MOTION:** Commissioner Uchima moved for the approval of PRE04-00016, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner LaBouff and failed to pass as reflected in the following roll call vote:

AYES: Commissioners LaBouff and Uchima.  
NOES: Commissioners Botello, Faulk and Chairperson Muratsuchi.  
ABSENT: Commissioners Drevno and Horwich.

The public hearing was reopened, and Mr. Trobaugh agreed to continue the hearing to October 20, 2004 to allow him an opportunity to redesign the project.

**MOTION:** Commissioner Uchima moved to continue the hearing on PRE04-00016 to October 20, 2004. The motion was seconded by Commissioner LaBouff and passed by unanimous roll call vote (absent Commissioners Drevno and Horwich).

Chairperson Muratsuchi announced that the hearing would not be re-advertised as it was continued to a date certain.

**9B. PRE04-00018, WAV04-00014: ROBERT TREMAN (MARK AND AMIE ARGENTO)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a second-story addition to an existing two-story, single-family residence and a Waiver to allow a reduction of the side yard setback requirement on property located in the Hillside Overlay District in the R-1 Zone at 22503 Redbeam Avenue.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request and noted supplemental material available at the meeting consisting of revised resolutions.

Robert Treman, project architect, voiced his agreement with the recommended conditions of approval. He briefly described the proposed project, explaining that designing the home was very challenging because the site is steeply sloped and there is an existing, very obvious addition, which had to be incorporated into the design. He stated that the project was carefully designed to mitigate the impact on neighbors and that he believed it would improve property values and complement the neighborhood. He noted that several adjacent neighbors have submitted letters of support (per written material of record).

Commissioner Botello asked about justification for the project's FAR of .54.

Mr. Treman stated that he thought the range between .50 and .60 was a gray area where projects could be approved if they are of appropriate scale and beneficial to the neighborhood. Noting that he has had projects approved in this range before, he expressed surprise that the Commission was so adamant about not exceeding .50.

Mark Argento, 22503 Redbeam Avenue, applicant, reported that he discussed the project with everyone he thought would be affected by it and asked them to contact him if they had any concerns, therefore, he was surprised when he learned this evening that one of these neighbors was planning to speak in opposition to the project.

Louis Martel, 22504 Warmside Avenue, stated that it was true that Mr. Argento had contacted him and invited him to take a look at the plans, but he has been extremely busy and just recently received notice of the hearing. Submitting photographs to illustrate, he contended that the project would significantly impact his view and suggested that the southern portion of the addition be eliminated or the roofline lowered to restore his view of the morning sunrise for at least part of the year. He requested that the hearing be continued so commissioners could visit his home and personally see the impact.

In response to Commissioner Uchima's inquiry, Mr. Martel reported that the second story on his home was built in the 1960s.

Chairperson Muratsuchi stated that he favored a continuance so he could view the project from Mr. Martel's residence; indicated that he would like to see a reduction in the project's Floor Area Ratio so it would be closer to .50; and explained that his concern about FARs in excess of .50 was not new.

Mr. Treman stated that he believed the FAR issue could be easily addressed, however, he took issue with Mr. Martel's remarks. He explained that he has done everything possible to minimize the impact on views, including limiting plate heights to 8 feet and using a low-pitched roof, and voiced his opinion that the primary views in this area are to the south and west

Commissioner Faulk stated that he favored a continuance because he felt the only fair way to evaluate the view impact was to personally visit Mr. Martel's home. He commended the architect for maintaining 8-foot ceiling heights.

Expressing support for a continuance, Commissioner Uchima indicated that he also would like an opportunity to personally evaluate the impact. Noting that every project has some impact on view, he stated that he did not believe the ordinance was meant to be so strict as to prohibit any impact on view and when evaluating the impact, he takes into account the view's significance. He voiced his opinion that the project's FAR was reasonable considering the lot coverage and the building's footprint.

**MOTION:** Commissioner Uchima moved to continue the hearing on PRE04-00018 and WAV04-00014 to October 6, 2004. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote (absent Commissioners Drevno and Horwich).

Chairperson Muratsuchi announced that the hearing would not be re-advertised because it was continued to a date certain.

**9C. PRE04-00020, WAV04-00016: NOVA AND CATHY NOVOBILSKI (ROBERT GOLDEN)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new two-story, single-family residence and a Waiver of height requirement on property located in the Hillside Overlay District in the R-1 Zone at 22423 Linda Drive.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Nova Novobilski, 22423 Linda Drive, voiced his agreement with the recommended conditions of approval. He reported that his neighbors support the project and believe it will improve the neighborhood and submitted a copy of the plans with their signatures for the record.

Commissioner Botello asked for an explanation of the Waiver of the height requirement.

Sr. Planning Associate Lodan explained that the prevailing height of the house is 25 feet, 11 inches, which is within the 27-foot height limit in the R-1 Zone, but because the garage is tucked under the house, the overall height must be measured from the driveway level to the ridge, which is 33 feet, 2 inches, necessitating a Waiver of the height requirement. He stated that staff believes the Waiver is justified because the applicant should not be penalized for building the garage into the slope.

Chairperson Muratsuchi stated that he visited the site and was concerned that there might be a view impact at 22419 Linda Drive. Mr. Novobilski indicated that he owns the home at 22419 Linda Drive.

**MOTION:** Commissioner Faulk, seconded by Commissioner Uchima, moved to close the public hearing; voice vote reflected unanimous approval.

**MOTION:** Commissioner Uchima moved for the approval of PRE04-00020 and WAV04-00016 as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote (absent Commissioners Drevno and Horwich).

Planning Associate Crecy read aloud the number and title of Planning Commission Resolutions Nos. 04-110 and 04-111.

**MOTION:** Commissioner Botello moved for the adoption of Planning Commission Resolution Nos. 04-110 and 04-111. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote (absent Commissioners Drevno and Horwich).

**9D. PRE04-00022: MICHELLE GAINER (JEFFREY AND KRISTY SMITH)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of first and second-story additions to an existing one-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 2703 Ridgeland Road.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Michelle Gainer, project architect, voiced her agreement with the recommended conditions of approval. She noted that she lives within the notification area and has worked with the applicants for 2½ years to design a project that would not adversely impact the views, light, air and privacy of neighbors.

In response to Commissioner Uchima's inquiry, Planning Associate Crecy advised that the current lot coverage is approximately 30% and the lot coverage as proposed would be 37.8%.

Commissioner Botello asked about justification for the project's Floor Area Ratio of .59.

Ms. Gainer explained that the area she had to work with was limited by the existing pool and because the subject property is a corner lot, which requires an additional five-foot setback for the side yard facing the street. She further explained, that the applicants have three young children and thought it was important to have all of their bedrooms on the same floor as the master bedroom.

Commissioner Botello asked about the statement in the application that there are other homes in the area with FARs in excess of .50. Ms. Gainer stated that the home at 25820 Skylark, which was completed within the last year, appears to have an FAR over .50.

In response to Commissioner Botello's inquiry, Ms. Gainer confirmed that due to the lot's corner location, she was required to maintain approximately 500 square feet of additional side yard setback that would not be required for an interior lot. Noting this corner's prominent location in the neighborhood, she reported that the home with its front porch, attractive windows and recessed second story, was specifically designed to complement this location.

A brief discussion ensued, and Commissioner Botello, Commissioner Faulk and Chairperson Muratsuchi indicated that they would be more inclined to support the project if the FAR was reduced to .53 or .54 because while they agreed some deviation from the .50 standard was justified due to lot's corner location and the existing pool, they were not comfortable with the .59 FAR as proposed.

Ms. Gainer stated that before agreeing to such a reduction, which would require the elimination of approximately 270 square feet, she would like to have an opportunity to determine what impact it would have on the project's design. Commenting on limitations associated with the existing pool, she reported that the building must be set back from the pool to avoid undermining the pool's foundation and that she was careful not to position second-story windows where children could jump from them into the pool.

Indicating that he visited the site earlier in the evening, Commissioner Uchima stated that he looked at the project's bulk and the mass as outlined by the silhouette and how it relates to other properties in the neighborhood and he did not believe it would be detrimental. He contrasted the proposed project with a two-story home across the street at 2626 Ridgeland Road, which encompasses almost the entire front area of the lot. He voiced support for the project as submitted, noting the slight increase in the existing footprint.

Ms. Gainer reported that 2626 Ridgeland Road is not within the Hillside Overlay District, noting that she designed the home, which features a similar stepping back of the second story, and has received a lot of compliments on it.

Commissioner Faulk questioned whether the integrity of the design could be maintained if 270 square feet were eliminated.

Ms. Gainer stated that she might be able to eliminate 6 to 8 inches from rooms around the perimeter without compromising the design's integrity, but she would have to discuss that with her clients.

The Commission recessed from 8:40 p.m. to 8:50 p.m.

Ms. Gainer stated that she was not sure an FAR of .54 will work for her clients and requested a continuance.

**MOTION:** Commissioner Botello moved to continue the hearing on PRE04-00022 to November 3, 2004. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote (absent Commissioners Drevno and Horwich).

Chairperson Muratsuchi announced that the hearing would not be re-advertised as it was continued to a date certain.

## **10. RESOLUTIONS**

### **10A. EAS04-00004, ZON04-00004, CUP04-00016, DVP04-00004: SOUTH BAY LEXUS/ CITY OF TORRANCE**

Planning Commission consideration of resolutions approving a Conditional Use Permit and Development Permit to allow the construction and operation of an automobile dealership on property located in the Hawthorne Boulevard Corridor Specific Plan, H/PCH Subdistrict at 24021 Hawthorne Boulevard.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution Nos. 04-098 and 04-099.

**MOTION:** Commissioner Uchima moved for the adoption of Planning Commission Resolution Nos. 04-098 and 04-099. The motion was seconded by Commissioner LaBouff and passed as reflected in the following roll call vote:

AYES:	Commissioners LaBouff, Uchima and Chairperson Muratsuchi.
NOES:	Commissioner Faulk.
ABSTAIN:	Commissioner Botello.
ABSENT:	Commissioners Drevno and Horwich.

### **10B. PRE04-00001: RALPH MALAFRONT (MANUEL GEORGE)**

Planning Commission consideration of a resolution denying a Precise Plan of Development to allow the construction of a new two-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 22508 Susana Avenue.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution No. 04-059.



**MOTION:** Chairperson Muratsuchi moved for the adoption of Planning Commission Resolution No. 04-059. The motion was seconded by Commissioner Botello and passed as reflected in the following roll call vote.

AYES: Commissioners Botello, LaBouff and Chairperson Muratsuchi.  
NOES: Commissioners Faulk and Uchima.  
ABSENT: Commissioners Drevno and Horwich.

**10C. WAV04-00018: VICTOR GOMEZ**

Planning Commission consideration of a resolution approving a Waiver to allow a reduction of the rear yard setback requirement for an existing patio enclosure addition to a single-family residence on property located in the R- Zone at 4219 176<sup>th</sup> Street.

Planning Association Crecy read aloud the number and title of Planning Commission Resolution No. 04-100.

**MOTION:** Commissioner Uchima moved for the adoption of Planning Commission Resolution No. 04-100. The motion was seconded by Commissioner Botello and passed by unanimous roll call vote (absent Commissioners Drevno and Horwich).

Victor and Carmen Gomez, 4219 176<sup>th</sup> Street, expressed concerns about Condition No. 3 in Resolution No. 04-100, which requires the roof of the patio enclosure to be redesigned to align with the existing residence to the satisfaction of the Community Development Director. They explained that they have already spent \$4000 to have the un-permitted structure – which was built before they purchased the property – approved and they were under the impression that they only had to remove the roof overhang and address safety issues. Ms. Gomez noted that the patio roof is not visible from the street and neighbors do not object to its remaining as it is.

A brief discussion ensued, and Commissioners indicated that they did not recall any discussion regarding the redesigning of the roof and did not favor imposing this condition.

**MOTION:** Commissioner Uchima, seconded by Commissioner Faulk, moved to reconsider the adoption of Planning Commission Resolution No. 04-100; voice vote reflected unanimous approval.

**MOTION:** Commissioner Uchima moved for the adoption of Planning Commission Resolution No. 04-100, deleting Condition No. 3. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote (absent Commissioner Drevno and Horwich).

11. **PUBLIC WORKSHOP ITEMS** – None.

12. **MISCELLANEOUS ITEMS** – None.

13. **REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS**

Sr. Planning Associate Lodan reviewed recent City Council action on Planning matters, noting that the condominium project on the former site of the Vagabond motel was approved at the September 14 Council meeting after it was revised, reducing the size of the units and increasing the parking.

Deputy City Attorney Whitham noted that the City Council would be considering whether to extend the moratorium on residential projects of three units or more at the October 5 Council meeting.

14. **LIST OF TENTATIVE PLANNING COMMISSION CASES**

Sr. Planning Associate Lodan reviewed the agenda for the October 6, 2004 Planning Commission meeting.

15. **ORAL COMMUNICATIONS**

**15A.** In response to Commissioner Botello's inquiry, Fire Marshal Carter reported on efforts underway to determine the feasibility of charging development impact fees for emergency services.

**15B.** Chairperson Muratsuchi asked about the scheduling of the discussion item for the League of Women Voters' report on development in Torrance. A brief discussion ensued, and it was the consensus of the Commission to schedule the discussion for the November 3 Commission meeting.

16. **ADJOURNMENT**

At 9:25 p.m., the motion was adjourned to Wednesday, October 6, 2004, at 7:00 p.m.

Approved as Amended November 3, 2004 s/ Sue Herbers, City Clerk
---